

AUS919990357US2

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	Before the Examiner:
James J. Babka et al.	:	Unassigned
	:	
Serial No.: Unassigned	:	Group Art Unit: Unassigned
	:	
Filing Date: Herewith	:	Intellectual Property Law
	:	IBM Corporation
Title: STATUS DISPLAY FOR	:	11400 Burnet Road
PARALLEL ACTIVITIES	:	Austin, Texas 78758

PRELIMINARY AMENDMENT

Mail Stop Patent Application
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Please amend the above-identified Application as follows:

IN THE CLAIMS

Please cancel claims 1-3 and 9-16.

Please add claims 17-26.

Applicants note that claim 4 was amended to correct a typographical error. The amendment made to claim 4 was not narrowing in scope and therefore no prosecution history estoppel arises from the amendment to claim 4. *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 62 U.S.P.Q.2d 1705, 1711-1712 (2002); 56 U.S.P.Q.2d 1865, 1870 (Fed. Cir. 2000). Further, the amendment made to claim 4 was not made for a substantial reason related to patentability and therefore no prosecution history estoppel

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arises from such an amendment. *See Festo Corp.* at 1707 (2002); *Warner-Jenkinson Co. v. Hilton Davis Chemical Co.*, 41 U.S.P.Q.2d 1865, 1873 (1997).